IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1325 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 19/03/2004 in WPMP No.19312 of 1992 in W.P. NO : 4812 OF 1992 on the file of the High Court.)

Between:

Ch. A.N. Raju, Promoter - M/s. Rajasree Agro Service Centre,
Unit 40-A, in E.C., ECIL P.O: RR Dist., Hyderabad, 500 062.

..... APPELLANT

AND

1 Managing Director, APSFC, PB No.165, Chirag Ali Lane, Hyderabad -
2 Sr. Br. Manager, RR East, APSFC, Abids.

.....RESPONDENTS

Counsel for the Appellant:PARTY-IN-PERSON

Counsel for the Respondents: MS.Y.N.LOHITA (SC FOR AP FINANCE CORP)

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

This appeal is filed against an interlocutory order passed by learned single Judge dismissing WPMP No.19312 of 1992. Appellant filed application under Section 340 Cr.P.C., complaining of fabrication and fraudulent alteration in the documents alleged to have been filed by the respondents. W.P.Nos.4812 of 1992, 2927 of 1997 and 11507 of 2000 filed by the appellant were dismissed by a common order on 17th July, 2001. The petitioner thereafter appears to have filed three writ appeals No.708, 709 of 2003 and 811 of 2001. Dismissal of W.P.No.4812 of 1992, 2927 of 1997 and 11507 of 2002 and relegating him to the civil court were made the subject matter therein. The appeals were dismissed on 2-5-2003. He sought thereafter review of the order in W.A.No.811 of 2001. In review, an order was passed on 11th July, 2003 permitting him to approach the learned single Judge in so far as WPMP No.19312 of 1992 in W.P.No.4812 of 1992 is concerned. The petitioner thereafter appeared before the learned single Judge and the learned single Judge disposed of WPMP No.19312 of 1992 on 19th March, 2004 while disposing of other miscellaneous applications filed by the petitioner in W.P.No.4812 of 1992. Needless to add that W.P.No.4812 of 1992 already stood disposed of on 20th October, 1992.

Grievance of the appellant is that he had brought to the notice of the court of the alleged fabrication and fraudulent alteration of documents by the respondents and also initiation of enquiry against the respondents. Learned single Judge while dismissing the application observed that writ petition itself was disposed of without recording any finding on merits of the case or without making reference to the documents alleged to have been fabricated or fraudulently altered. Thus the learned single Judge did not find any merit in the application and it was dismissed. Appeal is against the said order.

In fact the petitioner-appellant argued before us that the said documents, though were filed by the respondents in court but were withdrawn and did not form

part of record. We do not find any illegality or irregularity in the order passed by the learned single Judge. No interference with the impugned order at our behest is warranted.

Appeal dismissed.

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DEVINDER GUPTA, CJ

24-8-2004

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C.V.RAMULU, J

Tvr

To

1. The Managing Director, APSFC, PB No.165, Chirag Ali Lane, Hyderabad.
2. Senior Branch Manager, APSFC, Ranga Reddy East, Abids, Hyderabad.
3. 2 CD copies.